

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2005-173-T AND 2007-131-T - ORDER NO. 2010-458

JULY 14, 2010

IN RE: Docket No. 2005-173-T – Application of)	ORDER GRANTING
Scott Michael Tomasello DBA Taxi Man)	REINSTATEMENT OF
Transportation, c/o Crystal Phoenix)	CERTIFICATE
Enterprises, 305 21 st Avenue South,)	
Apartment 112, Myrtle Beach, SC 29577)	
(District 1) for a Class C Taxi Certificate of)	
Public Convenience and Necessity)	
)	
and)	
)	
Docket No. 2007-131-T – Petition of the)	
Office of Regulatory Staff for Commission to)	
Revoke Certificates of Public Convenience)	
and Necessity of Certain Motor Carriers for)	
Failure to Maintain and File Evidence of)	
Insurance)	
)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Scott Michael Tomasello DBA Taxi Man Transportation (“Applicant”) to reinstate the Applicant’s Class C Taxi Certificate of Public Convenience and Necessity No. 7580 issued to the Applicant pursuant to Commission Order No. 2005-319, dated June 16, 2005.

On April 9, 2007, a Petition for a Rule to Show Cause was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to maintain and file evidence of insurance and thereby failing to comply with the statutes

governing operations of Motor Vehicle Carriers in South Carolina. The record reflects that the Applicant was a respondent to the Rule to Show Cause for failure to maintain and file evidence of insurance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on May 30, 2007. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to maintain and file evidence of insurance. Accordingly, the Commission issued Order No. 2007-415, dated June 5, 2007, which cancelled the Applicant's Certificate No. 7580.

By written request received June 7, 2010, the Applicant requests that the Certificate in question be reinstated. The original Application for certification of the Applicant on file with the Commission provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

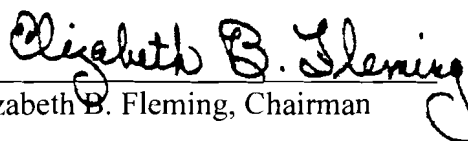
1. That Class C Certificate of Public Convenience and Necessity No. 7580 of Scott Michael Tomasello DBA Taxi Man Transportation be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.


3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)